## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

UNITED STATES OF AMERICA,

Case No. CR-1-02-143

Plaintiff,

Judge Dlott

v.

SAMUEL PETER NICKOLAS,

Defendant.

AFFIDAVIT OF SAMUEL PETER NICKOLAS IN SUPPORT OF DEFENDANT'S FOR CONTINUANCE OF HEARING DATE AND TO ALTER TRAVEL RESTRICTIONS

Samuel Peter Nickolas swears and subscribes that if he were called to testify he would testify as follows:

- I hold a lease on a commercial real estate property located at 1010
   Truman Avenue in Key West, Florida.
- 2. The property currently houses a commercial business named the "Iron Body Gym". I currently have a business interest in the gym with another individual.
- 3. The property also contains an apartment that I consider a second residence.
  - 4. I have been informed that both properties were damaged by wind and

flooding caused by Hurricane Rita, which passed through the Florida Keys on September 20, 2005

- 5. I have been informed by my business partner, Austin Henley, that the property sustained approximately 18 inches of flooding and an extensive clean up will need to be completed before the property can be used as a workout facility. Because I have not been able to travel to Key West, I have not had the opportunity to fully assess what damage has occurred or the extent of cleanup or repairs that will need to be undertaken.
- 6. It is my belief that it may take up to two weeks to assess, repair and clean the property so that it can reopen for use. I am concerned that if I am not immediately permitted to travel to work on the property, I may suffer additional financial loss by water damage and the closure of the workout facility. If the repair/cleanup work is completed more quickly than my two week estimate, I will notify my probation officer and immediately return to the Southern District of Ohio.
- 7 I submit to this Court that my request for a continuance of the Supervised Release hearing was not motivated by a desire to prolong the disposition of this matter, but was made in a sincere effort to protect and salvage this property.

SAMUEL PETER NICKOLAS

Sworn to and subscribed in my presence on September 23, 2005 in Cincinnati, Ohio.

on MALLY SOMMSON, Attorney at Law Mallery Patric, State of Ohio my Commission has no expiration data Section 147.03 O. R. C.

## 2005 NOTICE OF PROPOSED PROPERTY TAXES AND PROPOSED OR ADOPTED NON-AD VALOREM ASSESSMENTS MONROE COUNTY TAXING AUTHORITIES P O BOX 1176 KEY WEST FL 33041-1176

\*TANGIBLE\*

Alternate Key:

8929470

Mill-Dist: 10kW

Parcel ID #: 00343180-000000

48303

NICKOLAS SAMUEL P C-UNIT-ONE INC 2903 FELTZ AVE CINCINNATI OH 45211-4923

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## DO NOT PAY THIS IS NOT A BILL

The taxing authorities which levy property taxes against your property will soon hold PUBLIC HEARINGS to adopt budgets and tax rates for the next year.

The purpose of these PUBLIC HEARINGS is to receive opinions from the general public and to answer questions on the proposed tax change and budget PRIOR TO TAKING FINAL ACTION.

Each taxing authority may AMEND OR ALTER its proposals at the hearing.

**Legal Description:** 

1010 TRUMAN AVE

KEY WEST

| TAXING<br>AUTHORITY   | YOUR PROPERTY<br>TAXES<br>LAST YEAR | YOUR TAXES THIS YEAR<br>IF PROPOSED BUDGET<br>CHANGE IS MADE | 1  | BLIC HEARING ON THE<br>KES AND BUDGET WILL |         | YOUR TAXES THIS IF NO BUDGET CHA IS MADE |    |
|---|-------------------------------------|--|--|--|---------|--|----|
| COUNTY GENERAL REVENUE FUND F & F ( ) AW ENF 1ATI           | 1.25                                | 1.12   | SEPTEMBER 7, 2005 5:05PM<br>HARVEY GOVERNMENT CENTER   |  |         | 0.1                                      | 96 |
| F & F (LAW ENF, JAIL<br>JUDICIAL SYSTEM)<br>HEALTH CLINIC   | 2.85<br>0.03                        | 2.57<br>0.03   | 1200   | TRUMAN AVE KEY WE<br>292-4470              | ST, FL  | 2.0                                      |    |
| PUBLIC SCHOOLS:   | 2.44                                |  |  |  |         |  |    |
| BY STATE LAW BY LOCAL BOARD                                 | 3.11<br>2.00                        | 2.30<br>1.94   | SEPTEMBER 8, 2005 7:00PM<br>MARATHON GOVT CENTER EOC ROOM<br>2798 OVERSEAS HWY MARATHON, FL<br>305-293-1400 EXT 345            |  |         | 2.4                                      |    |
| KEY WEST  | 3.38                                | 2.62   | 305-293-1400 EXT 345<br>SEPTEMBER 12, 2005 6:00PM<br>COMM CHAMBERS OLD CITY HALL<br>510 GREENE ST KEY WEST, FL<br>305-809-3810 |  |         | 2.6                                      | 62 |
| WATER MANAGEMENT  |                                     |  | 000  | 000 0010                                   |         |  |    |
| SO FL WATER MANG DIS<br>OKEECHOBEE BASIN FND<br>GLADES PROJ | 0.37<br>0.41<br>0.13                | 0.36<br>0.39<br>0.13   | SEPTEMBER 6, 2005 5:15PM<br>B-1 BLDG 3301 GUN. CLUB RD<br>WEST PALM BEACH, FL  |  |         | 0.3<br>0.3<br>0.3                        | 34 |
| INDEPENDENT   | 0.15                                | 0.13   | 561-   | 686-8800                                   |         | 0.,                                      | 11 |
| SPECIAL DISTRICTS MOSQUITO CONTROL DIS                      | 0.79                                | 0.83   | SEPT   | EMBER 6, 2005 5:30<br>W OCEAN DR CITY HAI  | PM<br>i | 0.6                                      | 51 |
| VOTER APPROVED  |                                     |  | KEY  | COLONY BEACH, FL                           | _       |  |    |
| DEBT PAYMENTS   | 0.00                                | 0.00   | 305-   | 292-7190                                   |         | 0.0                                      |    |
| PENALTY 25%   | 3,58                                | 3.07   |  |  |         | 2.7                                      | _  |
| TOTAL PROPERTY TAXES TOTAL NON-AD VALOREM                   | 14.32                               | 12.29  |  |  |         | 11.1                                     |    |
| GRAND TOTAL   | 0.00<br><b>17.90</b>                | 0.00<br><b>15.36</b>   |  |  |         | 0.0<br><b>13</b> .8                      |    |
|   | 17.00                               | 10.00  |  |  | ;       | 10.0                                     |    |
|   | COLUMN 1                            | COLUMN 2   |  |  |         | COLUMN 3                                 | ;  |
| YOUR PROPERTY VALUE THIS YEAR:                              | MARKET VALUE 1,254                  | ASSESSED VALU  |  | EXEMPTIONS 0                               | TAXABLI | 1,254                                    |    |
| YOUR PROPERTY VALUE LAST YEAR:                              | 1,299                               | 1,299  |  | 0  |         | 1,299                                    |    |

IF YOU FEEL THE MARKET VALUE OF YOUR PROPERTY IS INACCURATE OR DOES NOT REFLECT FAIR MARKET VALUE, OR IF YOU ARE ENTITLED TO AN EXEMPTION THAT IS NOT REFLECTED ABOVE, CONTACT YOUR PROPERTY APPRAISER AT:

KEY WEST (305) 292-3420 MARATHON (305) 289-2550 PLANTATION (305) 852-7130.

IF THE PROPERTY APPRAISER'S OFFICE IS UNABLE TO RESOLVE THE MATTER AS TO MARKET VALUE OR AN EXEMPTION, YOU MAY FILE A PETITION FOR ADJUSTMENT WITH THE VALUE ADJUSTMENT BOARD. PETITION FORMS ARE AVAILABLE FROM THE COUNTY APPRAISER AND MUST BE FILED ON OR BEFORE: 5PM SEPTEMBER 13, 2005.

YOUR FINAL TAX BILL MAY CONTAIN NON-AD VALOREM ASSESSMENTS WHICH MAY NOT BE REFLECTED ON THIS NOTICE SUCH AS ASSESSMENTS FOR ROADS, DRAINAGE, GARBAGE, FIRE, LIGHTING, WATER, SEWER, OR OTHER GOVERNMENTAL SERVICES AND FACILITIES WHICH MAY BE LEVIED BY YOUR COUNTY, CITY, OR ANY SPECIAL DISTRICT.

## PROPOSED OR ADOPTED NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY

UNITS

RATE

ASSESSMENT

